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UNCLAS SECTION 01 OF 04 ASTANA 000540

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SUBJECT: ALMATY AND ASTANA FRAUD SUMMARY SEPTEMBER 2008 - FEBRUARY 2009

DEPT FOR CA/FPP, POSTS FOR FRAUD PREVENTION MANAGERS

REF: A) 08 STATE 74840 B) 08 ASTANA 1698 C) 07 BISHKEK 823

1. (U) Sensitive but unclassified. Not for public Internet.

2. (U) The following sections correspond to questions in Ref A.

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COUNTRY CONDITIONS  
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3. (U) Kazakhstan is a single consular district with two consular offices, Embassy Astana and Embassy Branch Office (EBO) Almaty. The Astana consular section processes only NIVs and is staffed by one officer and two Foreign Service Nationals (FSNs). EBO Almaty maintains a consular section with two American officers, one Consular Assistant and five FSNs. The Branch Office processes nonimmigrant visas (NIVs) for residents of Kazakhstan and handles Kazakhstani, Kyrgyz and Tajik immigrant visas (IVs) and adoptions. The American Citizen Services workload is shared by both sections. The Chief of the two Consular Sections is in Almaty.

4. (SBU) Kazakhstan is a very low fraud country. A B1/B2 validation study conducted by post in August 2008 (Ref. B) found a non-return rate of 0.9% for Astana issuances and 1.6% for Almaty issuances. The total non-return numbers were too low to draw any meaningful conclusions as to NIV fraud trends.

5. (SBU) Since independence in 1991, the economic situation in most of Kazakhstan has improved. In the larger cities, such as Almaty, Astana, and Atyrau, the oil and gas industry has provided an economic boom. However, the improvement in living conditions is uneven and in many rural areas there are still pockets of extreme poverty and economic hardship. The worldwide economic slowdown has reached Kazakhstan, however there is no evidence to date that visa fraud has increased as a result. The overall economic situation is aggravated by corruption, which motivates much of the visa fraud encountered at post. The most significant factor in both visa issuance and fraud rates is the economic situation in the applicant's home region.

6. (SBU) Most pleasure (B2) visa applicants desire to travel to Brooklyn, NY or the suburban Seattle, WA area to visit relatives. Manhattan and Las Vegas are also becoming popular tourist destinations as incomes rise. Houston, TX is the number one destination for business (B1) travelers thanks to strong energy industry ties. Students also like Houston; the University of Houston Downtown and the Houston community college system are by far the most popular starting points for Kazakhstani students, though many transfer to other institutions after a few semesters. F1 applicants for post-secondary study tend to be very well qualified, however applicants hoping to study English as a Second Language are less consistent. The number of Kazakhstani immigrants to the United States is relatively low.

7. (SBU) Fraudulent documents, especially invitation letters,

employment letters and other bona fides are available and easy to come by. However, it is unusual to see fraudulent official Kazakhstani documents such as passports and birth certificates. On the other hand, fraudulent official documents from neighboring countries are a concern.

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NIV FRAUD  
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¶18. (SBU) Most consular fraud in Kazakhstan relates to B1/B2 NIV applications. Document packs featuring false job and invitation letters make up the vast majority of these cases. To combat this problem, post maintains a list of suspicious notaries to help us spot less-than-legitimate invitation letters. Most of the falsified employment letters are also easy to spot: they almost all feature a laser or ink-jet printed company stamp (an almost mandatory feature for an employment letter in the region) instead of the real thing.

¶19. (SBU) Standard document pack cases are relatively easy to identify. However, post often sees a more refined version of the document pack which includes interview coaching and even a 'legitimate' group leader. In this case, the leader is usually an established small business owner with several previous visits to the U.S. Using these credentials, the leader will apply with two or three previously unseen applicants, claiming a joint purpose of travel in line with the leader's previous trips.

¶10. (SBU) Careful interviewing has proven the best way to spot and hinder this type of NIV fraud. The applicants in the above and similar cases all have 'legitimate' supporting documents and have

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received coaching for the interview. Asking detailed professional questions helps identify cases for further investigation. Entry/exit data for previous applicants related to a suspected facilitator establishes patterns. Since the application documents are designed to pass a basic fraud check, local investigations are time consuming and have involved visits to suspect businesses and residential addresses. We believe, however, that aggressively pursuing this type of fraud is the most effective deterrent.

¶11. (SBU) The Summer Work and Travel (SWT) J1 program continues to grow in popularity, from about 200 participants in 2000 to over 4000 in 2008. While not directly influencing visa eligibility, fake job offer letters are a problem for SWT participants. Students purchase job offers from local brokers or through the Internet for \$50 - \$200. Many of these jobs do not exist at all. Of the rest, most are sold to dozens or hundreds more students than the employer is expecting. To better protect program participants, post would welcome changes to the SWT program to better monitor the legitimacy of job offers. In particular, we would support a requirement that all first-time SWT participants travel with confirmed job offers obtained directly from their American sponsoring organization.

¶12. (SBU) Post does not see significant fraud trends in employment-based, student, or religious NIVs. A 100% validation study of the 60 visa referral program cases processed in 2008 confirmed that all referral beneficiaries returned to Kazakhstan on time.

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IV FRAUD  
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¶13. (SBU) EBO Almaty processes immigrant visas (IVs) for Kazakhstan, Tajikistan and Kyrgyzstan. Approximately 60% of post's IV cases, not including adoptions, are from Kyrgyzstan. The level of IV fraud is low but there is concern about the legitimacy of Kyrgyz and, in particular, Tajik civil documents. Most can be bought inexpensively and the potential for identity fraud is high, as is the potential for an applicant to mask potential 212(a) ineligibilities.

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## DV FRAUD

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¶14. (SBU) Diversity Visa (DV) visa fraud is low, but the same concerns as above apply to our DV applicants, the majority of whom are also from Kyrgyzstan. The number-one reason for refusing DV applications is the failure of an applicant to include a pre-existing spouse or child in their initial entry. This appears to be mainly due to DV entry facilitators in the region which either do not know program rules or do not care, rather than any deceptive or willful action on the applicant's part.

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## ACS AND PASSPORT FRAUD

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¶15. (SBU) ACS fraud is extremely low in Kazakhstan. To date, post has not had a pattern of mala fide applicants trying to obtain U.S. passports or other benefits from the consular section.

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## ADOPTION FRAUD

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¶16. (SBU) Almaty processes over 400 adoptions per year. Most of these cases are IR3 visa class adoptions from Kazakhstan, where international adoption is a high-profile issue. Kazakhstan has a working system of checks-and-balances between the three government agencies (Ministry of Foreign Affairs, Ministry of Education and Ministry of Justice) that makes international adoption fraud or wrongdoing difficult. Furthermore, the attention the Kazakhstani adoption system receives from the local media and legislators helps to limit possibilities for abuse of the system. We have not seen any Kazakhstani adoption cases that we suspect are fraudulent.

¶17. (SBU) EBO Almaty continues to work closely with Embassy Bishkek to monitor the adoption situation in Kyrgyzstan. While Kyrgyz adoptions have been on hold since late 2008, Almaty anticipates a resumption of adoption processing in the future, including many IR4 cases. We are concerned about the potential for fraud and weak controls in the Kyrgyz adoption system expressed by Bishkek in Ref ¶C.

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## USE OF DNA TESTING

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¶18. (SBU) Post has had one case involving DNA testing in the last  
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six months; fraud was not confirmed in that case. There are no special issues or concerns with using DNA testing in Kazakhstan.

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## ASYLUM AND DHS BENEFIT FRAUD

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¶19. (SBU) Embassy Astana and EBO Almaty assist DHS Moscow, the Department and the BCIS district offices in the United States with verifying documents for refugee and asylum cases. In most instances, these documents turn out to be fraudulent. Post has processed no Visas 92/93 cases nor have any lost or stolen I-551s been reported to us.

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## ALIEN SMUGGLING, TRAFFICKING, ORGANIZED CRIME AND TERRORIST TRAVEL

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¶20. (SBU) Kazakhstan's geographic location makes it a transit point for alien and drug smuggling, particularly from South Asia to Western Europe. Known 'black' border crossings permit travel into and out of Kazakhstan without inspection. Falsified Kazakhstani travel documents are a minor problem. Tajik, Kyrgyz and Uzbek documents are of greater concern. Contacts at other Western missions report fraud patterns and concerns similar to those

detailed in paragraphs 5 to 8. Post is not aware of any cases in which a fraudulent U.S. visa has been used to assist an EU visa application.

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DS CRIMINAL FRAUD INVESTIGATIONS  
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¶21. (SBU) In the last six months, Astana and Almaty have not referred any cases to Diplomatic Security for investigation.

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HOST COUNTRY PASSPORT, IDENTITY DOCUMENTS,  
AND CIVIL REGISTRY  
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¶22. (SBU) The Kazakhstani Ministry of Justice processes passport applications at regional offices throughout the country, issuing a machine-readable laminate passport. Passport validity can be up to twenty years, but all passports must be replaced on the bearer's 25th and 45th birthday regardless of when they were issued. Kazakhstan issues a national ID card which can be used for travel within the Commonwealth of Independent States. Post has not encountered any known cases of falsified Kazakhstani travel or identity documents. Kazakhstani media reports have alleged that well-connected Kazakhstanis have obtained passports issued with a false identity. Birth certificates and other lower-level civil documents, particularly those issued outside of major cities, are not secure. A determined and resourceful person could obtain a government-issued Kazakhstani passport with a false identity using these documents.

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COOPERATION WITH HOST GOVERNMENT AUTHORITIES  
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¶23. (SBU) Cooperation with the Kazakhstani government authorities is mixed. There is a noted lack of cooperation or organization among Kazakhstan's ministries and regional departments. Despite this, post is usually able to receive immediate assistance with unofficial verification of documents. If an official, written answer is necessary it can take several months, however.

¶24. (SBU) Post has developed strong relationships with adoption processing authorities, including the Ministry of Education -- the government agency that oversees the processing of dossiers. When addressing adoption-related concerns, cooperation is generally very good.

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AREAS OF PARTICULAR CONCERN  
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¶25. (SBU) Post is paying close attention to the rapid growth of the Summer Work and Travel Program (para. 9) and Kazakhstan's status as a drug- and alien- smuggling thoroughfare (para. 18).

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STAFFING AND TRAINING  
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¶26. (SBU) Almaty Vice Consul James Waterman serves as Fraud Prevention Manager, supervised by Consular Section Chief Chris Beard. FSN Rustam Ushurov is the Fraud Prevention Assistant.

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Christopher Beard attended the Fraud Prevention for Consular Managers course at FSI in October 2005. Rustam Ushurov attended the FSN Fraud Prevention course at FSI in November 2008 and James Waterman will attend the FPM course at the soonest available opportunity. Post hosted FPP's Eliana Holmes for onsite consultations in October 2008.

MILAS